

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

SATURDAY, THE 1ST DECEMBER 2007 / 10TH AGRAHAYANA 1929

WP(C).No. 18739 of 2007(E)

PETITIONER:

FR.THOMAS KIDARATHIL,
VICAR, ST.JOSEPH'S CHURCH, PALATHINKADAVU,
(P.O) KACHERIKKADAVU, KANNUR DISTRICT.

BY ADV. SRI.V.C.JAMES
SRI.GEORGE MECHERIL
SRI.J.S.AJITHKUMAR

RESPONDENTS:

1. THE STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.
2. THE KERALA STATE ELECTRICITY BOARD,
VYDHYUTHI BHAVAN, PATTOM PALACE P.O.,
THIRUVANANTHAPURAM, REPRESENTED BY ITS SECRETARY.
3. THE DISTRICT COLLECTOR, KANNUR.
4. THE EXECUTIVE ENGINEER,
BARAPOL HYDRO-ELECTRIC PROJECT, KOOTTUPUZHA,
KANNUR DISTRICT.

R2 BY ADV. SRI.P.P.THAJUDEEN, SC, K.S.E.B
BY GOVERNMENT PLEADER SRI. M.R. SABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 01/12/2007, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

KSS

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1: COPY OF DOCUMENT NO.1013/74 DTD. 27/03/1974 OF S.R.O., ULIYIL.**
- EXT.P2: COPY OF CERTIFICATE OF PURCHASE NO.89/193 DTD. 17/03/1983.**
- EXT.P3: COPY OF BASIC TAX RECEIPT C.NO.8913731 DTD. 5/2/2007 FOR THE YEAR 2006-07 ISSUED BY THE VILLAGE OFFICER, AYYAMKUNNU.**
- EXT.P4: COPY OF NOTICE DTD. 27/12/2005 ISSUED BY THE 4TH RESPONDENT.**
- EXT.P5: COPY OF PROCEEDINGS OF THE COLLECTOR VIDE C1-8509/06 DTD. 10/03/2007.**
- EXT.P6: COPY OF NOTICE DTD. 30/05/2007 SERVED BY THE PETITIONER.**
- EXT.P7: COPY OF NOTICE DTD. 7/06/2007 TO THE PETITIONER.**

/TRUE COPY/

P.A.TO JUDGE

KSS

ANTONY DOMINIC, J.

W.P.(C)NO.18739 OF 2007 - E

Dated this the 1st day of December, 2007.

JUDGMENT

In this writ petition, the prayer made is to direct the respondents not to proceed against the petitioner's property or assume possession of the same without initiating proceedings under the Land Acquisition Act. On instructions, the counsel for respondents 2 and 4 submits that if at all the land is required to be acquired, that will be only in accordance with the provisions contained in the Land Acquisition Act.

Recording this submission, the writ petition is closed.

ANTONY DOMINIC, JUDGE.

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